

NOV 22 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

ORIGINAL

Richard W. Pierce, Law Office
P.O. Box 503514
Saipan, MP 96950-3514
Telephone: (670) 235-3425
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Attorney for Defendant Masayuki Isoda

IN THE UNITED STATES DISTRICT COURT
FOR THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

PEDRO R. DELEON GUERRERO,

Plaintiff,

vs.

MASAYUKI ISODA, aka,

MIKE ISODA,

Defendant.

Civil Action No. 04-0033

**DEFENDANT MASAYUKI
ISODA'S SUBMISSION OF
ATTORNEY'S FEES AND COST**

Defendant Masayuki Isoda presents to the Court Defendant's statement of current attorney's fees, costs, and expenses.

Respectfully submitted this November 16, 2005.

By: _____

RICHARD W. PIERCE

Attorney for Masayuki Isoda

AO 133 (Rev. 9/89) Bill of Costs

United States District Court

DISTRICT OF

PEDRO R. DELEON GUERRERO,
Plaintiff,

BILL OF COSTS

V.
MASAYUKI ISODA aka MIKE ISODA,
Defendant.

Case Number: 04-0033

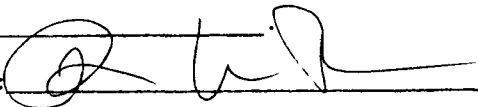
Judgment having been entered in the above entitled action on Nov. 15, 2005 against Pedro R. Deleon Guerrero,
Date
the Clerk is requested to tax the following as costs:

| | |
|---|-----------|
| Fees of the Clerk | \$ 150.00 |
| Fees for service of summons and subpoena | |
| Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case | |
| Fees and disbursements for printing | |
| Fees for witnesses (itemize on reverse side) | |
| Fees for exemplification and copies of papers necessarily obtained for use in the case | |
| Docket fees under 28 U.S.C. 1923 | |
| Costs as shown on Mandate of Court of Appeals | |
| Compensation of court-appointed experts | |
| Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 | |
| Other costs (please itemize) ... Deposition Transcription Cost | 156.00 |
| TOTAL \$ 306.00 | |

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to:

Signature of Attorney: 

Name of Attorney: Richard W. Pierce

For: Masayuki Isoda aka Mike Isoda

Date: Nov. 15, 2005

Name of Claiming Party

Costs are taxed in the amount of \$306.00 and included in the judgement.

By:

Clerk of Court

Deputy Clerk

Date

| WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees) | | | | | | | |
|---|------------|---------------|-------------|---------------|---------|---------------|----------------------------|
| NAME AND RESIDENCE | ATTENDANCE | | SUBSISTENCE | | MILEAGE | | Total Cost Each Witness |
| | Days | Total Cost | Days | Total Cost | Days | Total Cost | |
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NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

Rule 54 (d)

"Except where express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6 (e)

Rule 6 (e)
 "Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."